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IT IS SO ORDERED.

Dated: June 19, 2018




C. Kathryn Preston
United States Bankruptcy Judge

17-3827 (H)

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

In re:

JASON E. ADKINS,

Debtor.

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Case No.: 18-50671

Chapter 7

Judge C. Kathryn Preston

ORDER: (A) FINDING AND DETERMINING AUTOMATIC STAY IMPOSED BY 11 U.S.C. §362(a) TO BE INAPPLICABLE TO CREDITOR WBL SPO 1, LLC AS TO CERTAIN REAL PROPERTY LOCATED AT 885 STERNBERGER ROAD, JACKSON, OHIO 45640, AND ALL RENTS GENERATED OR DERIVED THEREFROM AND (B) DENYING MOTION FOR RELIEF (Doc.51)

Having come before the Court on the Motion of Creditor WBL SPO 1, LLC (hereinafter "WBL") for Relief from the Automatic Stay and for related findings and relief (Doc.51) (hereinafter and collectively the "Motion"), with respect to certain real property more particularly described as 885 Sternberger Road, Jackson, Ohio 45640, as well as all rents, income, profits and proceeds generated by or derived therefrom (hereinafter collectively the "Real Property"), which was duly filed on May 1, 2018 (Doc.51) and it

appearing to the Court that good, adequate, and sufficient notice of the Motion having been provided by WBL to Debtor, Debtor's counsel, the chapter 7 Trustee, and all other creditors and parties claiming an interest in the Real Property, as well as those parties entitled to notice as required by section 102(1)(A) of the Bankruptcy Code, Fed. R. Bankr. P. 9014 and this Court's Local Bankruptcy Court rules, and it further appearing that no objection to the Motion having been filed by the applicable deadline under the Local Bankruptcy Court rules, and, consequently, the Court finds that any objection to relief requested in the Motion or provided in this Order shall be deemed dispensed with and waived, and the Court having therefore found and determined that the legal and factual bases set forth in the Motion and in this Order establish just cause for the relief granted herein, and the Court being in all ways duly and sufficiently advised;

ACCORDINGLY, the Court hereby makes these following findings of fact and conclusions of law:

1. The Court finds that the subject Real Property is owned by Rebekah Holding LLC, a non-debtor entity. Therefore, the Court concludes and determines that the automatic stay imposed by Debtor's chapter 7 filing and pursuant to 11 U.S.C. §362(a) is inapplicable to WBL, its successors or assigns, as to the subject Real Property and all claims related thereto. *See, Lynch v. Johns-Manville Sales Corp.*, 710 F.2d 1194, 1196 (6th Cir.1983).

NOW, THEREFORE, based on the foregoing findings and conclusions, it is hereby ORDERED, ADJUDGED AND DECREED AS FOLLOWS:

A. WBL, its successors and assigns, is/are permitted to offset, setoff, repossess, retake possession of, liquidate, foreclose upon, sell, re-lease, or otherwise

dispose of the Real Property located at 885 Sternberger Road, Jackson, Ohio 45640, as well as all rents, profits and income generated or derived therefrom, and further allowed to enforce all of WBL's rights with respect to the Real Property including, but not limited to, filing any actions in any court;

B. That the Motion is DENIED, as moot, in so far as same seeks relief from the automatic stay under 11 U.S.C. §§362(d)(1) and (2);

C. That nothing in this Order shall be affected in any way, and/or invalidated, by the Debtor seeking relief under, or conversion of this underlying chapter 7 case to, another chapter under Title 11 of the United States Code;

D. The Court shall retain its proper jurisdiction granted pursuant to 28 U.S.C. §157 and 1334, with respect to all matters arising from or related to the implementation of this Order, or the relief provided in this Order, in addition to the interpretation of this Order;

E. The relief authorized and approved by the Court in accordance with this Order is and shall be effective immediately upon entry;

F. There is no just cause for delay. This is a final, appealable order.

BE IT SO ORDERED.

Tendered by:

By: /s/ Jeremy R. Mason, Esq.
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